

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HUGUES DURAND,

Plaintiff,

v.

US BANK NATIONAL ASSOCIATION, et  
al.,

Defendants.

No. C 09-00108 JSW

**ORDER DISCHARGING ORDER  
TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED  
FOR FAILURE TO PROSECUTE**

This matter came before the Court for a hearing on Defendant U.S. Bank National Association's motion to dismiss on June 12, 2009. Plaintiff did not appear at that hearing. Accordingly, on that date the Court issued an Order directing Plaintiff to show cause why this matter should not be dismissed for failure to prosecute. The Court has received Plaintiffs' response, which states that he was in the hospital on that date. Accordingly, the Order to Show Cause is discharged without further action. The Court has the motions to dismiss under submission and shall issue an order in due course.

**IT IS SO ORDERED.**

Dated: June 25, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

HUGUES DURAND,  
Plaintiff,

Case Number: CV09-00108 JSW

**CERTIFICATE OF SERVICE**

v.

US BANK NATIONAL ASSOCIATION  
et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 25, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Hugues Durand  
152 Lombard  
#204  
San Francisco, CA 94111

Dated: June 25, 2009



Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk